

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GERALD D. LAURAIN, II,

Plaintiff,

No. 17-13462

v.

Honorable Nancy G. Edmunds

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER AND OPINION ACCEPTING THE MAGISTRATE JUDGE'S JANUARY 3,
2019 REPORT AND RECOMMENDATION [21]**

Currently before the Court is the magistrate judge's January 3, 2019 report and recommendation (Dkt. 21.). The magistrate judge recommends granting Plaintiff's motion for summary judgment, denying Defendant's motion for summary judgment, and remanding the case to the administrative law judge. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, No. 09-10933, 2012 U.S. Dist. LEXIS 120541, at *2 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The Court nevertheless agrees with the magistrate judge's recommendation. The Court therefore ACCEPTS and ADOPTS the magistrate judge's report and recommendation (Dkt. 21).

It is further ordered that Plaintiff's motion for summary judgment (Dkt. 16) is GRANTED; Defendant's motion for summary judgment (Dkt. 17) is DENIED; the

decision of the Commissioner is REVERSED; and this matter is REMANDED to the administrative law judge pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the magistrate judge's report and recommendation.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 6, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 6, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager